

REMARKS

Claims 1-10 are all the claims pending in the application. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

Claim Rejections - 35 U.S.C. § 103

The Examiner rejected claims 1-10 under 35 U.S.C. § 103(a) as being unpatentable over US Patent 6,310,671 to Larson (hereinafter Larson) in view of US Patent 5,825,543 to Onderkirk et al. (hereinafter Onderkirk). Applicants respectfully traverse this rejection because the references fail to teach or suggest all the elements as set forth in the claims.

Claim 1 sets forth an optical element comprising a polarizing plate and a light diffusing plate laminated on the polarizing plate, wherein the light diffusing plate comprises a birefringent film, and wherein the mismatch direction of the light diffusing plate is parallel to a transmission axis of the polarizing plate.

The Examiner asserts that Larson teaches a polarization scattering element 17 that is laminated on rear polarizer 16, and that the polarization scattering element 17 is a birefringent film containing dispersed therein minute regions differing from the birefringent film in birefringent characteristics.¹ Although this may be true, the Examiner's reliance on Larson is misplaced. That is, the polarization scattering element 17 acts as a pre-polarizer, which transmits light (i.e. that in the match direction) of a polarization that is matched to the polarization of polarizer 16, and which backscatters the remainder of the light (i.e., that in the mis-match direction) to the reflecting cavity 11 for re-use.² Thus, Larson's transmission axis for the index-of-refraction-match direction of scattering element 17 and that for the polarization element 16 are parallel to one another. Accordingly, Larson fails to teach or suggest a light diffusing plate comprising a birefringent film, wherein the mismatch direction of the light diffusing plate is parallel to a transmission axis of the polarizing plate, as set forth in claim 1.

¹ Office Action at the paragraph bridging pages 2 and 3.

² Larson at col. 4, lines 45-47, and 56-65, for example.

The Examiner relies on Onderkirk as teaching specific values for the indices of refraction in the match and mismatch directions for a birefringent film.³ But Onderkirk does not teach or suggest anything that would cure the above-noted deficiencies in Larson.

Therefore, even assuming that one of ordinary skill in the art were motivated to combine Larson and Onderkirk as suggested by the Examiner, any such combination would still not teach or suggest all the elements as set forth in claim 1.

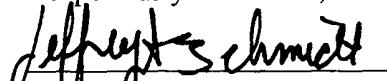
For at least any of the above reasons, Larson and Onderkirk fail to render obvious claim 1. Likewise, these references fail to render obvious dependent claims 2-10.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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³ Office Action at page 3, 1st full paragraph.